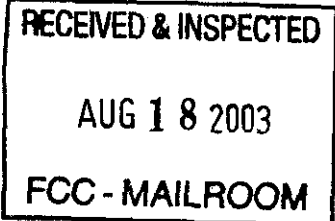


DOCKET FILE COPY ORIGINAL



August 14, 2003

Federal Communications Commission
Office of the Secretary
445 - 12th Street, SW
Washington, DC 20554

Reference: Boston Public Library/MBLN

Contact: Carolyn Coulter, Systems Officer

Phone/email: 617-859-2024, ccoulter@bpl.org

Billed entity 149096

471 application number 331403

Funding request number 896665

CC Docket No. 02-6

REQUEST FOR REVIEW:

The Boston Public Library/Metro Boston Library Network respectfully requests reconsideration of the Schools and Libraries Division's complete denial of funding and appeal for the funding requests listed above. This letter and its attachments support our appeal for full funding of these eligible items.

JUSTIFICATION FOR APPEAL

The denial of the original funding request states, "30% or more of this FRN includes ineligible request for PBX/Voice Mail system maintenance which is an ineligible product/service based on program rules." We appealed this decision, arguing that the portion of voicemail was less than 30% of the total cost. Since the original quote (see attachment A) did not show a detailed breakdown of cost, we sought a quote from the vendor reflecting that detail. In our original appeal letter to the SLD, dated March 11, 2003 (see attachment #1), we cited the actual cost of the voice mail as 10% of the total cost of the maintenance. This is reflected by the quote from the vendor referenced in that letter, Shared Technologies/Fairchild, which is attached (see attachment #2). Subsequent to the original letter, we were asked follow-up questions by the SLD (see attachment #3, page 1). We responded to those questions on March 19, 2003 (see attachment #3, page 2) and included a copy of the Shared Technologies quote with notations to assist the SLD in understanding our responses (see attachment #4). Unfortunately, we sent an incorrectly detailed quote to the SLD when we responded to those questions.

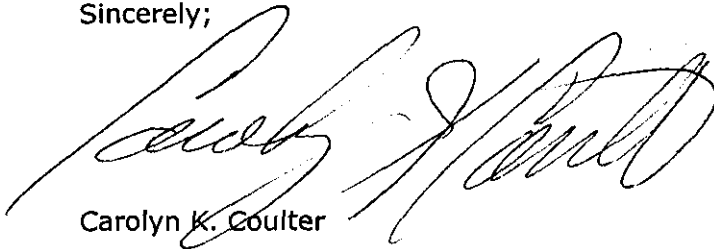
L. J. [unclear] [unclear]
[unclear]

Our mistake arose from the two quotes we received from Shared Technologies regarding this issue. When we were asked by the SLD what portion of the overall cost was given over to voicemail maintenance, the vendor responded by providing us with a quote that stated the per port cost for voice mail was about 3% of the total cost, but unfortunately made a mistake in the mathematics and drew up a quote reflecting .50 of the \$1.50 per port charge as voice mail, or 33 1/3%. As you can see in the accompanying email (see attachment #5), she thought she was reflecting a 3% cost, not a 33 1/3% cost per port. The vendor was apprised of her mistake, and on further consideration she recalculated her costs and provided us with the corrected quote, which reflects .15 of the \$1.50 per port cost, or 10% (see attachment #6). This is the quote that should have been included in the question responses to the SLD. The SLD instead used the quote from the question responses which reflected a 33 1/3% per port cost and rejected our appeal.

Edward Maheigan, the Budget and Procurement Manager here at the BPL kept all of the email correspondence with the vendor regarding this incident, as you can see in the accompanying documentation. We trust that, by reviewing the email correspondence with the vendor and the proper quote documentation, it will be shown that the cost of the voice mail element of this request is 10% of the overall cost, not 33 1/3%.

We appreciate your attention to this matter. If you have any questions or need additional information, please contact me via phone at 617-859-2024 or email at ccoulter@bpl.org. You can also reach the BPL Budget and Procurement manager, Edward Maheigan, at 617-859-2364 or email at emaheigan@bpl.org.

Sincerely;

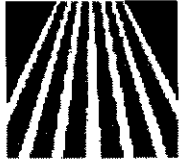
A handwritten signature in black ink, appearing to read 'Carolyn K. Coulter', written over a horizontal line.

Carolyn K. Coulter

Systems Officer

Boston Public Library

Attach A



**SHARED
TECHNOLOGIES
FAIRCHILD**

755 Dedham Street, Canton, MA 02021

(781) 830-2900 (781) 821-8541 fax

PBX ANNUAL MAINTENANCE

Customer:	CITY OF BOSTON, PUBLIC LIBRARY
Annual Maintenance for PBX/Voice Mail System , Multi Site Location	
Date of Issue:	1/8/02

Period of Coverage: 7/1/02 - 6/30/03

Per Port Charge is \$1.50 per port

LOCATION	TOTAL PORTS	TRUNKS	STATION	CCIS PORTS	MONTHLY CHARGE (\$)	ANNUAL CHARGE (\$)
MAIN SITE Copley	832	8	392	432	1,248.00	14,976.00
West Roxbury	48	8	16	24	72.00	864.00
West End	48	8	16	24	72.00	864.00
Washington Village	48	8	16	24	72.00	864.00
Uphams Corner	48	8	16	24	72.00	864.00
South End	48	8	16	24	72.00	864.00
South Boston	48	8	16	24	72.00	864.00
Roslindale	48	8	16	24	72.00	864.00
Parker Hill	48	8	16	24	72.00	864.00
Orient Heights	48	8	16	24	72.00	864.00
North End	48	8	16	24	72.00	864.00
Mattapan	48	8	16	24	72.00	864.00
Lower Mills	48	8	16	24	72.00	864.00
Kirstein	48	8	16	24	72.00	864.00
Jamaica Plain	48	8	16	24	72.00	864.00
Hyde Park	48	8	16	24	72.00	864.00
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Fields Corner	48	8	16	24	72.00	864.00
Faneuil Hall	48	8	16	24	72.00	864.00
Egelston Square	48	8	16	24	72.00	864.00
East Boston	48	8	16	24	72.00	864.00
Dudley	48	8	16	24	72.00	864.00
Connolly	48	8	16	24	72.00	864.00
Codman Square	48	8	16	24	72.00	864.00
Charlestown Service	96	8	64	24	144.00	1,728.00
Charlestown BRANCH	48	8	16	24	72.00	864.00
Brighton	48	8	16	24	72.00	864.00
Adams St	48	8	16	24	72.00	864.00
Allston Branch	52	8	20	24	78.00	936.00
				0	0.00	0.00
TOTAL	2228	232	892	1104	3,342.00	\$40,104.00

Pricing Valid for a period of 45 days from issue, unless withdrawn or modified in writing by Shared Technologies

This maintenance is for STFI labor and is above and beyond existing TWS 5 yr. Contract on parts that is currently in effect

Quotation Accepted 1/16/02
John R. Mahajan

Attach #1

March 11, 2003

Letter of Appeals
Schools and Libraries Division
Box 125-Correspondence Unit
100 S. Jefferson Rd, Whippany, NJ 07981

Reference: Boston Public Library/Metro Boston
Library Network, billed entity 149096,
471 application #331403, funding request #896665.

The Boston Public Library/Metro Boston Library Network respectfully requests reconsideration of the Schools and Libraries Division's complete denial of funding, per letter dated January 27, 2003, for the funding requests listed above. This letter and its attachments support our appeal for full funding of these eligible items.

JUSTIFICATION FOR APPEAL

The denial explanation for this funding request states, "30% or more of this FRN includes ineligible request for PBX/Voice Mail system maintenance which is an ineligible product/service based on program rules." We believe less than 30% of this FRN are ineligible items, and therefore, this request should not be completely denied.

First, although the subtitle on the quotation for the PBX Annual Maintenance quotation from our vendor, Shared Technologies Fairchild (SPIN 143009251), is listed as the combination "annual maintenance for PBX/Voice Mail System," the actual cost of voice mail maintenance as a component of the cost is only 10% of the total cost (see attached detailed breakdown from Shared Technologies. Note: Fifteen cents for voice mail per port, out of total per port charge of \$1.50.)

Secondly, PBX maintenance from the same vendor was approved for and funded in Year 4, 471 application #265668, FRN 704658.

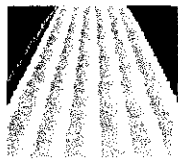
Finally, purchase of the PBX was funded by the E-Rate after an FCC found on appeal that voice mail was considerably less than 30% of the original procurement (see attached appeal and finding).

Please do not hesitate to contact me if you have any questions, or need additional information to support our appeal.

Respectfully submitted,

Carolyn Coulter
Systems Officer
(617) 536-5400, ccoulter@bpl.org

Attch #2



**SHARED
TECHNOLOGIES
FAIRCHILD**

755 Dedham Street, Canton, MA 02021

(781) 830-2900 (781) 821-8541 fax

PBX ANNUAL MAINTENANCE

** Pricing Reissued on 8/10/02 per Frank Alteri

Customer: **CITY OF BOSTON, PUBLIC LIBRARY**

Annual Maintenance for PBX/Voice Mail System , Multi Site Location

Date of Issue: **1/8/2002**

Period of Coverage: 7/1/02 - 6/30/03

* SEE FOOTNOTES

Per Port Charge: \$1.50 (1.35 cents per port for PBX, .15 cents per port for voice mail)

(Annual Charge for PBX is \$ 36,093.60 per year and Voice Mail is \$4,010.40 per year)

LOCATION	TOTAL PORTS	TRUNKS	STATION PORTS (NOT TELEPHONE SETS	CCIS PORTS	MONTHLY CHARGE (\$)	ANNUAL CHARGE (\$)
MAIN SITE Copley	832	8	392	432	1,248.00	14,976.00
West Roxbury	48	8	16	24	72.00	864.00
West End	48	8	16	24	72.00	864.00
Washington Village	48	8	16	24	72.00	864.00
Uphams Corner	48	8	16	24	72.00	864.00
South End	48	8	16	24	72.00	864.00
South Boston	48	8	16	24	72.00	864.00
Roslindale	48	8	16	24	72.00	864.00
Parker Hill	48	8	16	24	72.00	864.00
Orient Heights	48	8	16	24	72.00	864.00
North End	48	8	16	24	72.00	864.00
Mattapan	48	8	16	24	72.00	864.00
Lower Mills	48	8	16	24	72.00	864.00
Kirstein	48	8	16	24	72.00	864.00
Jamaica Plain	48	8	16	24	72.00	864.00
Hyde Park	48	8	16	24	72.00	864.00
Grove Hall	48	8	16	24	72.00	864.00
Fields Corner	48	8	16	24	72.00	864.00
Faneuil Hall	48	8	16	24	72.00	864.00
Egelston Square	48	8	16	24	72.00	864.00
East Boston	48	8	16	24	72.00	864.00
Dudley	48	8	16	24	72.00	864.00
Connolly	48	8	16	24	72.00	864.00
Codman Square	48	8	16	24	72.00	864.00
Charlestown Service	96	8	64	24	144.00	1,728.00
Charlestown BRANCH	48	8	16	24	72.00	864.00
Brighton	48	8	16	24	72.00	864.00
Adams St	48	8	16	24	72.00	864.00
Allston Branch	52	8	20	24	78.00	936.00
				0	0.00	0.00
TOTAL	2228	232	892	1104	3,342.00	\$40,104.00

Pricing Valid for a period of 45 days from issue, unless withdrawn or modified in writing by Shared Technologies

This maintenance is for STFI labor and is above and beyond existing TWS 5 yr. Contract on parts that is currently in effect

* A Station Port is defined as the port on the Digital Line card within the PBX Hardware which supports the telephone

Quotation Accepted, 1/16/02

Edward D. Mahan

ument (IT IS NOT THE TELEPHONE SET)

CCIS Port is defined as the Network port within the PBX used to support networking to the Branch Libraries

Attach #3, page 1

Coulter, Carolyn

From: James Moore [JMOORE@sl.universalservice.org]
Sent: Monday, March 17, 2003 4:20 PM
To: Coulter, Carolyn
Subject: 331403 Boston Public Library Appeal

REQUEST FOR ADDITIONAL DOCUMENTATION-

Hello, I'm in the process of reviewing the above listed appeal.

Please correspond, to my attention, specifically to the numbered items as listed below and be sure to reference all labeled attachments and dollar totals located therein, within the body of your signed reply correspondence on entity letterhead. Kindly reference the above subject Form 471 application number, and include a copy of this request.

1. Please forward a cost component breakdown of the specific PBX equipment located at the Copley Main Site of 1,248.00/mo. 2. Please forward a cost component breakdown of the specific PBX equipment located at West Roxbury of 72/mo. 3. Please forward a cost component breakdown of the specific PBX equipment located at Charlestown service of 144/mo. 4. Please forward a cost component breakdown of the specific PBX equipment located at Allston Branch of 78/mo.

5. Please provide a copy of contract IT111 awarded 1/16/02 as indicated in Items 15 and 18 of the Form 471 Block5

Please confirm receipt of this correspondence via jmoore@sl.universalservice.org, you may request SLD receipt of documentation forwarded via the same means. USAC rules dictate, that requests for additional documentation be forwarded within 7 calendar days. Thank you. Jim Moore Phone (973)-884-8138, Fax (973)-599-6525. NECA

Att: J. Moore 1A27
80 So. Jefferson Rd.
Whippany, NJ 07981



Boston Public Library

Boston, Massachusetts 02117

March 19, 2003

Schools and Libraries Division
Attn: Jim Moore 1A27
80 S. Jefferson Rd
Whippany, NJ 07981

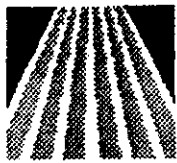
Reference: Boston Public Library/Metro Boston
Library Network, billed entity 149096,
471 application #331403, funding request #896665.

Please see the attached documents per your e-mail to Carolyn Coulter, Systems Officer, dated, Monday, March 17, 2003, requesting additional documentation to support our appeal for PBX maintenance funding. Attached are the IT111 state contract and the cost component breakdown for PBX maintenance.

Please do not hesitate to contact me if you have any questions, or need additional information to support our appeal.

Respectfully submitted,

Carolyn Coulter
Carolyn Coulter
Systems Officer
(617) 536-5400, ccoulter@bpl.org



SHARED TECHNOLOGIES FAIRCHILD

755 Dedham Street, Canton, MA 02021

(781) 830-2900 (781) 821-8541 fax

PBX ANNUAL MAINTENANCE

** Pricing Reissued on 8/10/02 per Frank Alteri

Customer:	CITY OF BOSTON, PUBLIC LIBRARY
Annual Maintenance for PBX/Voice Mail System , Multi Site Location	
Date of Issue:	1/8/2002

Period of Coverage: 7/1/02 - 6/30/03

* SEE FOOTNOTES

Per Port Charge is \$1.50 per port (\$1.00 per port for PBX, .50 cents per port for Voice Mail System)

LOCATION	TOTAL PORTS	TRUNKS	STATION PORTS (NOT TELEPHONE SETS)	CCIS PORTS	MONTHLY CHARGE (\$)	ANNUAL CHARGE (\$)
MAIN SITE Copley (1) *	832	8	392	432	1,248.00	14,976.00
West Roxbury (2) *	48	8	16	24	72.00	864.00
West End	48	8	16	24	72.00	864.00
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Allston Branch (4) *	52	8	20	24	78.00	936.00
				0	0.00	0.00
TOTAL	2228	232	892	1104	3,342.00	\$40,104.00

Pricing Valid for a period of 45 days from issue, unless withdrawn or modified in writing by Shared Technologies

This maintenance is for STFI labor and is above and beyond existing TWS 5 yr. Contract on parts that is currently in effect

* A Station Port is defined as the port on the Digital Line card within the PBX Hardware which supports the telephone instrument (IT IS NOT THE TELEPHONE SET)

* A CCIS Port is defined as the Network port within the PBX used to support networking to the Branch Libraries

Quotation Accepted 1/16/02

Edward D. Malachuk

Attach #5-

Maheigan, Edward D.

From: Hebb, Sally G [sally.hebb@allegiancetelecom.com]
Sent: Friday, February 21, 2003 1:49 PM
To: Maheigan, Edward D.; Hebb, Sally G; Coulter, Carolyn; Bernasconi, Henry E.
Cc: Dampier, John; Marden, John A
Subject: RE: Annual Maintenance Costs PBX & Voice Mail

Importance: High



BOSTON PUBLIC
LIBRARY FINAL 20..

Here is the modified Annual Maintenance Quote for the PBX/Voice Mail (labor costs) for 2002-2003. Next to the per port charge of \$1.50 per port I added the line (\$1.00 per port for PBX, .50 cents per port for Voice Mail), which means the Voice Mail based on the 2228 total port count would represent just about 3% of the total annual maintenance costs. Hopefully this should work for the appeal purposes.

If you could give me a call today that would be great. Our New Business Director, John Dampier as well as John Marden would like to discuss this as well. If there is any way possible to do this today, that would be good. The problem is I just found out yesterday that I am attending training in NY all next week and won't be available. Let me know what works best for you.

Thanks Ed.
Sally
Sally G. Hebb
Major Account Executive
Shared Technologies
1400 Providence Hwy, Suite 3100
Norwood, MA 02062
(v) 781-830-2920
(f) 781-821-3300

-----Original Message-----

From: Maheigan, Edward D. [mailto:emaheigan@bpl.org]
Sent: Friday, February 21, 2003 1:07 PM
To: Hebb, Sally G; Coulter, Carolyn; Bernasconi, Henry E.
Subject: RE: Annual Maintenance Costs PBX & Voice Mail

Thanks, Sally. When I receive it, we'll probably want to review the details with you to make sure we are all on the same page.

Ed

-----Original Message-----

From: Hebb, Sally G [mailto:sally.hebb@allegiancetelecom.com]
Sent: Thursday, February 20, 2003 4:11 PM
To: Maheigan, Edward D.; Coulter, Carolyn; Bernasconi, Henry E.
Subject: Annual Maintenance Costs PBX & Voice Mail

Hi Ed

Just wanted to confirm that I received your voice mail message earlier today. I will try to ascertain what percentage the voice mail maintenance is of the total maintenance monies. The difficult part is that we are only charging you for the labor costs to maintain the equipment, as the equipment itself is under a five (5) year extended warranty

Attch #6

Maheigan, Edward D.

From: Hebb, Sally G [sally.hebb@allegiancetelecom.com]
Sent: Friday, February 21, 2003 2:48 PM
To: Maheigan, Edward D.; Hebb, Sally G
Cc: Coulter, Carolyn; Dampier, John; Marden, John A
Subject: RE: Annual Maintenance Costs PBX & Voice Mail



BOSTON PUBLIC
LIBRARY FINAL 20..

Okay let's try this again. Here is the revised, revised.

Ed, can you please send the email stating the contingency plan for payment as discussed so that we have a more formal statement of record regarding the payment for maintenance services for 2002 - 2003. The current contract is due to renew on 7/1/03 as well.

Thanks.
Sally

-----Original Message-----

From: Maheigan, Edward D. [mailto:emaheigan@bpl.org]
Sent: Friday, February 21, 2003 2:10 PM
To: Hebb, Sally G
Cc: Coulter, Carolyn
Subject: RE: Annual Maintenance Costs PBX & Voice Mail

Sally,

I think the math on this would make it 33 1/3% if \$.50 of the \$1.50 port charge is voicemail. Please call me to discuss.

Ed

-----Original Message-----

From: Hebb, Sally G [mailto:sally.hebb@allegiancetelecom.com]
Sent: Friday, February 21, 2003 1:49 PM
To: Maheigan, Edward D.; Hebb, Sally G; Coulter, Carolyn; Bernasconi, Henry E.
Cc: Dampier, John; Marden, John A
Subject: RE: Annual Maintenance Costs PBX & Voice Mail
Importance: High

Here is the modified Annual Maintenance Quote for the PBX/Voice Mail (labor costs) for 2002-2003. Next to the per port charge of \$1.50 per port I added the line (\$1.00 per port for PBX, .50 cents per port for Voice Mail), which means the Voice Mail based on the 2228 total port count would represent just about 3% of the total annual maintenance costs. Hopefully this should work for the appeal purposes.

If you could give me a call today that would be great. Our New Business Director, John Dampier as well as John Marden would like to discuss this as well. If there is any way possible to do this today, that would be good. The problem is I just found out yesterday that I am attending training in NY all next week and won't be available. Let me know what works best for you.

Thanks Ed.
Sally
Sally G. Hebb
Major Account Executive
Shared Technologies
1400 Providence Hwy, Suite 3100

Norwood, MA 02062
(v) 781-830-2920
(f) 781-821-3300

-----Original Message-----

From: Maheigan, Edward D. [mailto:emaheigan@bpl.org]
Sent: Friday, February 21, 2003 1:07 PM
To: Hebb, Sally G; Coulter, Carolyn; Bernasconi, Henry E.
Subject: RE: Annual Maintenance Costs PBX & Voice Mail

Thanks, Sally. When I receive it, we'll probably want to review the details with you to make sure we are all on the same page.

Ed

-----Original Message-----

From: Hebb, Sally G [mailto:sally.hebb@allegiancetelecom.com]
Sent: Thursday, February 20, 2003 4:11 PM
To: Maheigan, Edward D.; Coulter, Carolyn; Bernasconi, Henry E.
Subject: Annual Maintenance Costs PBX & Voice Mail

Hi Ed

Just wanted to confirm that I received your voice mail message earlier today. I will try to ascertain what percentage the voice mail maintenance is of the total maintenance monies. The difficult part is that we are only charging you for the labor costs to maintain the equipment, as the equipment itself is under a five (5) year extended warranty through TWS. We actually didn't even really charge you a per port cost for the voice mail, but rather a simple per port charge for the total ports (phone counts & outside lines) for the NEC2400 phone system. As a result of this, you are actually paying less monies, even though we are covering the voice mail for you as well.

In any event, I guess I can attempt to break it down for you so that it denotes that the voice mail system is under 30% of the total cost of maintenance when technically you aren't even really being charged for it.

I can send you a revised document by Monday.

Sally
Sally G. Hebb
Major Account Executive
Shared Technologies
1400 Providence Hwy, Suite 3100
Norwood, MA 02062
(v) 781-830-2920
(f) 781-821-3300